

Disaster Recovery Initiative

APPLICATION FOR FUNDING

Community Development Block Grant Program

September 2005



STATE OF CALIFORNIA
Department of Housing and Community Development
Division of Community Affairs
Community Development Block Grant Program (CDBG)
P.O. Box 952054, MS 330
Sacramento, California 94252-2054
Telephone: (916) 552-9398
Fax: (916) 323-8488

Website: www.hcd.ca.gov/fa/cdbg/funds.html

STATE OF CALIFORNIA

ARNOLD SCHWARZENEGGER, GOVERNOR

BUSINESS, TRANSPORTATION AND HOUSING AGENCY

SUNNE WRIGHT MCPEAK, SECRETARY

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

LUCETTA DUNN, DIRECTOR

Division of Community Affairs

Richard L. Friedman, Acting Deputy Director

Community Development Section

Lisa Vergolini, Section Chief

Stuart Baker, Specialist

Community Development Block Grant Program
General/Native American/Colonias Allocations

Allen Jones, Program Manager

Program Staff

Tijuana Alexander

Leticia Cortez

Harry Faris

Liz Rios-Fitzgerald

Susan Kessler

Diane Moroni

Conant Radcliffe

Patrick Talbott

Marta Valero

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INTRODUCTION

A. CONTENTS OF THE APPLICATION

The application for the Disaster Recovery Initiative (DRI) funding consists of State forms and other required information. The forms have been developed to provide all applicants with a consistent format for presenting proposed activities and to provide the Department with a method of gathering the eligibility and rating and ranking information.

Applicants should refer to the DRI Notice of Funding Availability (NOFA), and the instructions in this application package for a more detailed description of the requirements.

The Application is divided into three sections:

1. Application Summary Form is used to collect data that the Department will use to process Grant Agreements for successful applicants. It also contains an important signature block on the last page that **all** applicants must have signed by the designated signatory (Blue Ink Pen is preferred for all signatures).
2. Activity Description Form collects specific eligibility information for each activity proposed in the application. **One activity description form must be submitted for each activity proposed in the application.** So if three activities are being proposed (waterline repairs, housing rehabilitation, payment of business relocation) then three sets of the activity description forms would be completed and placed in the application along with necessary back up documentation.
3. Documentation and Certifications section provides all the necessary certifications and assurances required by the State for an eligible applicant. It is most important to include an original signed resolution or an original certified copy of the authorizing resolution. (Blue Ink Pen is preferred for all signatures on certification forms). This section is also for the applicant to attach required maps and back-up documentation.

B. INFORMATION REGARDING THE DISASTER RECOVERY INITIATIVE

This application is tailored to the intent and requirements of the federal Department of Housing and Urban Development's (HUD's) DRI program. DRI funding is available to eligible cities, counties, and federally recognized tribes seeking recovery from damage as a result of the *2003/2004 wild fires (FEMA-1498-DR)*, *earthquake (FEMA-1505-DR)* and *flooding (FEMA-1529-DR)*.

1. Grant Administration & Planning Costs. General administration expenses will be limited to 7.5 percent of grant funds awarded. If funds for planning activities are requested, the maximum percentage allowed is 10.5 percent on top of the 7.5 percent general administration costs. The combined maximum for both general administration and planning expenses will be 18 percent of the award. Applicants may choose to use local funds to pay for general administration costs and use up to 18 percent of awarded funds for planning activities. Planning activities must be directly related to repairs and mitigation of damages due to the declared disaster.
2. Activity Delivery Costs. DRI funds can be used to pay for administering a funded activity, referred to as activity delivery expenses. Activity delivery expenses include documentation of eligibility for individual assistance programs or prevailing wage monitoring for projects which trigger labor standards or payment staff time to do procurement activities. The State is allowing two levels of activity expenses. For direct assistance programs which are required to qualify individual households for benefit, the State will allow up to 19 percent of funds requested for the activity to be used for activity delivery. For projects, the State will allow up to 10 percent of funds requested for the activity to be used for activity delivery. See **Appendix E** for chart with eligible cost categories. If the proposed activity is a public service or relocation then no activity delivery expenses are allowed.
3. Rating and Ranking Applications. Applications received for DRI funding will be rated based on the scoring criteria shown in the Notice of Funding Availability (NOFA). Applicants must demonstrate that each proposed activity is eligible by documenting the minimum DRI threshold for national objective of low income benefit is met, by documenting the activity is required as a direct result of the declared disaster, and by documenting that no other federal or state funds or private insurance funds were available to pay for the proposed activity. Applicants should also document that the proposed activity is a high need in the community. Each proposed activity will be rated and ranked against similar activities proposed by other applicants. If there is a tie score between two or more applicants, then the jurisdiction with the highest poverty rate will be funded first.
4. DRI National Objective Requirement. DRI regulations state that at least 50 percent of the funds spent on eligible activities must meet the 51 percent low income benefit national objective. The remaining 50 percent of funds requested can meet the urgent need or slums and blight national objective. So for example, if an applicant applies for \$200,000 in DRI funds, then at least \$100,000 of those funds must be spent on a program or project activity which has a minimum low income benefit of 51 percent. The remaining \$100,000 can be use for activities which meet an urgent need due to the disaster or the elimination of slums and blight due to the disaster. By allowing for only 50 percent of the funds to benefit low income persons, HUD has provided some additional flexibility in this area so more DRI fund can be spent on urgent need and slums and blight national objective than is normally the case with CDBG allocations.

5. Low Income Benefit Verses Target Income Group Benefit. Each year HUD publishes a list of county median incomes adjusted for family size. See the Department's web site at www.hcd.ca.gov/ca/cdbg/funds for a copy of the current income limits chart. HUD's definition of a low/moderate income household or person is one that makes 80% or less than the published county median per year, adjusted for household size. The State of California's CDBG program has designated this same type of household, who is at or below the 80 percent median income level, as "Target Income Group" (TIG). So when, in any of the DRI documents, the State refers to Target Income Group (TIG) benefit it is the same as referring to HUD's term of low/moderate income benefit. Consistent with CDBG regulations, a proposed activity meets the national objective of TIG benefit if it: (a) restricts benefit to TIG households (all direct benefit programs such as housing rehab must have 100% TIG benefit, be restricted to only TIG households); or (b) provide benefit to an area wherein at least 51 percent of the households in the area are TIG; (c) serve a limited clientele who is by definition TIG (homeless, farm workers, seniors, etc.).
6. Matching Funds. DRI regulations require that match funds of at least 10 percent be provided. The State has documented that the 10 percent matching funds have already been expended by the State under funding from the California Disaster Assistance Act (CDAA). No matching funds will be required from applicants as part of expending these DRI funds.

C. TIMELINES

1. Key dates:

NOFA/Application release:	August 22, 2005
Applications due to HCD:	Accepted until close of business November 18, 2005.
Awards announced:	Within 90 days after due date. <u>Announcements will not be made until Congress and HUD gives written commitment of funds to the State.</u>

2. Acceptance Timeline: Applications will be accepted until November 18, 2005. Applications must be physically received by 5:00 PM, November 18th. Post-marks not accepted.
3. Number of copies: **One original** and **one copy**, with attachments. **Faxed or e-mailed applications not accepted.**

4. Mail to: State Community Development Block Grant Program
California Dept. of Housing and Community Development
P.O. Box 952054, MS 330
Sacramento, CA 94252-2054
- Deliver to: 1800 Third Street, Room 330
Sacramento, CA 95814
5. For further information, please call Patrick Talbott State CDBG field representative via phone at (916) 552-9361 or FAX at (916) 319-8488 or e-mail at ptalbott@hcd.ca.gov.

D. INSTRUCTIONS FOR SUBMITTING AN APPLICATION:

1. Send one complete original and one copy of the application and all attachments.
2. Use an appropriate sized, 3-ring loose-leaf binder for each application copy.
 - Paginate all pages.
 - Use labeled tabs or other separating device to mark each section of the application, activities and attachments—do not use adhesive stickers or flags--these devices are easily misplaced or lost.
 - PLEASE PROVIDE A TABLE OF CONTENTS TO YOUR APPLICATION.
3. Before submitting, check the application for completeness.
 - Make sure all signature pages and certifications are signed (blue ink) and included.
 - Follow proper formatting by completing and including Application Checklist.
 - Date and sign the application summary form (blue ink).

APPLICATION SUMMARY FORM

First, read the DRI Notice of Funding Availability (NOFA) and this application fully before attending one of the scheduled application training workshops. After attending an application preparation workshop, use the forms and include back up documentation to provide the strongest argument that the proposed activity is eligible and has a high need for DRI funds. If an activity is found to be ineligible (not meeting TIG proper benefit or is not an allowable activity) then it will not be rated and ranked or funded. If an application has multiple activities and one is found to be ineligible then it will be dropped, but the other eligible activities can still be funded.

Inserting applicant's name into Header at the top of each page of this form: As a Word document, go under View in the tool bar and pull down the menu and select Header/Footer. You will see the header in the upper right corner of page 8 and can type in the name of applicant on the line provided. Close the Header/Footer box to get back into the document. Do this process for each section of the application.

A. APPLICANT AND PROPOSED ACTIVITY INFORMATION

1-5. Self-explanatory, fill in blanks as directed. Note, boxes can't be filled in on the computer, so replace the box with an X.

6. Itemize the funds requested for each category. The total of all lines must equal the amount requested on line 5.

Line a: Up to 7.5 percent of the total amount requested may be used for General Administration.

Line b: Up to 10.5 percent of the total amount requested may be for Planning Activities.

Line c-i: Fill in the name of the first activity. In the column to the right insert the amount for the activity and the amount for activity delivery. The NOFA allows for up to 19 percent of the total amount requested for the activity to be used for Activity Delivery for direct benefit activities (housing rehabilitation). However, only 10 percent of the total funds requested for a project are allowed for activity delivery for project activities. No activity delivery is allowed for public services and relocation. Put total funds requested in last box at bottom of chart (must be same number as on line 5)

7. Line a: List activity then check whether the project will be jurisdiction-wide or target area. If you check jurisdiction-wide, skip item b. and go on to question #8. Add additional charts, one for each proposed activity.

Line b: If you checked target area, select the smallest unit of Census data that encompasses your proposed target area. If your target area crosses boundary lines for more than one Census Block Group, identify all of those Groups.

8. Number of Beneficiaries, by National Objective, for Proposed Activities:
- a. Low income benefit information showing the **anticipated** number of TIG and Non-TIG beneficiaries during the term of the grant. List each proposed activity (not including general administration or planning activities). For each activity listed complete each of the three income group categories, enter only the number of beneficiary households for that specific income group. Proposed activities may not exclude benefit to the Lowest Targeted Income group. See HCD web site: www.hcd.ca.gov/ca/cdbg/funds for a list of Counties with income limits by household size. Documentation of TIG benefit must be attached to the activity description form of the proposed activity.

Non-TIG: Enter the projected number of households benefiting from the activity whose incomes are above 80 percent of the county median (non-TIG). If CDBG funds will be used in a project where non-TIG households will benefit, then show those non-TIG household numbers on this chart. If non-TIG households will not be part of an activity (housing rehab), then enter a zero in the column.

TIG: Enter the projected number of households whose incomes are greater than 50 percent and up to 80 percent of the county median income (targeted income group).

LTIG: Enter the projected number households whose incomes are at or below 50% of the county median income (lowest targeted income group).

- b. Activities which are being proposed under slums and blight must be listed first. Activities which are being proposed under urgent need must be listed last. Add additional rows as needed. Speak to a CDBG representative if you intend to use either of these two national objectives for your activities.

For each activity listed for slums and blight, one of the two boxes to the right must be checked (Area Benefit or Project Specific). Documentation of the blighted conditions must be attached to the activity description form of the proposed activity.

For each activity listed for urgent need, check the box on the far right column. Documentation of urgent need must be attached to the activity description form of the proposed activity. In order to meet the urgent need national objective an activity must address a problem which meets the following four criteria: 1) poses a serious and immediate threat to the health or welfare of the community; 2) are of a recent origin or recently became urgent (18 months); 3) the applicant has no local funds to pay for the activity; 4) no other outside financing is available to fund the activity.

B. LEGISLATIVE REPRESENTATIVES

- 1-2. Enter the district number and name for each type of legislator. If the legislator has more than one district, list all of the district numbers. If more than one legislator per type, then add additional name(s) and district number(s).

The Department will notify all legislators of funding decisions.

C. CONTACT STAFF AND SIGNATURE OF AUTHORIZED OFFICIAL(S)

1. Enter the name of the person and title of the city, county, or tribal staff whom will be the primary contact with the State regarding this application. Fill in the rest of the requested data as shown on the form.
2. Complete this part if a consultant or other public agency prepared this application.
- 3-4. An authorized representative must sign and date the application (blue ink). For joint applicants, a representative from each jurisdiction applying must sign and date the application. Compete as indicated on the form.

A. APPLICANT AND ACTIVITY INFORMATION

1. Applicant: ☐ County of _____
☐ City of _____, located in the County of _____
☐ _____ Tribe of California, located in the County of _____
2. Please replace the box below with an X indicating if the application is a joint application between neighboring cities and/or counties. Indicate the names of the parties.
- ☐ Single applicant application
☐ Joint application between _____, and

3. Which disaster allocation is being request? (**place an X next to only one**)
- Wild Fires, FEMA-1498-DR _____
Earthquake, FEMA-1505-DR _____
Flooding, FEMA-1529-DR _____
5. Total amount of DRI funds requested: \$_____.

Note: This amount must NOT exceed the maximum award amount listed in the NOFA for each disaster.

6. Itemized list of CDBG funds requested. The total requested should match the total amount requested in line 5. All activities proposed in the application must be listed in this chart. Indicate the specific type of project or program if it is something other than a housing program.

Activity	Amounts:	Activity	Activity Delivery
a. General Administration: \$ _____			
b. Planning: _____ \$ _____			
c. Economic Development Assistance: _____	\$ _____		\$ _____
d. Housing Rehabilitation	\$ _____		\$ _____
e. Housing Acquisition	\$ _____		\$ _____
f. Public Works: _____	\$ _____		\$ _____
g. Community Facility: _____	\$ _____		\$ _____
h. Public Service: _____	\$ _____		
i. Other: _____	\$ _____		\$ _____
Total Funds Requested: \$ _____			

7. Census Data Table(s):

a.	Proposed activity is (check one):	jurisdiction wide <input type="checkbox"/>	target area/project <input type="checkbox"/>
b.	If you checked target area / project, check which data source you used (see Instructions re: Census Block Group numbers).		
	<input type="checkbox"/>	Census Tract data; enter Census Tract numbers: _____	
	<input type="checkbox"/>	Census Block Group data; enter Census Block Group numbers _____	

Note: Insert one table for each activity proposed.

8. Number of Beneficiaries by National Objective for Proposed Activity(s). All activities, except general administration, proposed in the application must be listed in these charts, this includes planning activities.

a. For TIG National Objective list each activity and beneficiaries by income group within the appropriate cells. Show the number of **households** within each income category expected to benefit from each proposed activity.

ACTIVITY	(NON-TIG) INCOMES ABOVE 80 % OF THE COUNTY MEDIAN	(TIG) INCOMES ABOVE 50% AND UP TO 80% OF THE COUNTY MEDIAN	(LTIG) INCOMES AT OR BELOW 50 % OF THE COUNTY MEDIAN
1.			
2.			
3.			

Note: For each activity proposed under the TIG national objective, documentation must be provided as part of the activity description form.

b. For Slums and Blight or Urgent Need National Objectives list each activity which is proposed under these National Objectives and check the boxes which apply, either site specific or area benefit for slums and blight or urgent need box.

ACTIVITY	SLUMS AND BLIGHT AREA BENEFIT	SLUMS AND BLIGHT SITE SPECIFIC PROJECT	URGENT NEED
1.			
2.			
3.			

Note: For each activity proposed under these two national objectives, documentation must be provided as part of the activity description form.

B. LEGISLATIVE REPRESENTATIVES

Member of the Assembly	State Senator	Member of Congress
1. District No. 2. Name:	1. District No. 2. Name:	1. District No. 2. Name:
1. District No. 2. Name:	1. District No. 2. Name:	1. District No. 2. Name:
1. District No. 2. Name:	1. District No. 2. Name:	1. District No. 2. Name:

Add additional lines, if needed, for more representatives.

C. APPLICANT INFORMATION AND SIGNATURE(S) OF OFFICIAL(S)

1. Applicant's Staff Contact Information:

Last:	First:	MI:
Title:		
Mailing Address:		
City:	State:	Zip:
E-Mail Address:		
Telephone #: Area Code: () Fax #: Area Code: ()		

ACTIVITY DESCRIPTION FORM

This section contains CDBG application forms with instructions. Use these forms to describe your proposed activity and provide information on the need for the activity in your activity.

How to proceed:

1. Complete all parts of the application. **If applying for more than one activity, complete forms for each activity.** *Photocopy* additional pages as needed.
2. Review the Checklist of Attachments to be sure you have included all the required and necessary documentation.

A. IDENTIFICATION OF ACTIVITY.

1. To identify a proposed activity, replace ONE box with an X showing proposed DRI activity (**only replace one box**). If funds will be paying for assessments, check the activity for which the assessments are being levied.
2. To indicate use of DRI funds for a planning Activity(s), replace the box with an X and give a brief description of the proposed study or studies and how each is directly related to the disaster. Describe the final product which will be submitted to the department. Lastly, attach documentation of the national objective being met by the study.

B. DOCUMENTATION OF NEED FOR ACTIVITY.

1. Provide narrative of damage, activity description, and environmental clearance requirements.
2. Complete chart and attach copies of relevant third party documentation highlighting the damage created by the disaster. The most effective methods of documentation include:
1) Surveys of damage showing the number of people harmed and at-risk due to damaged facilities; 2) Letters from FEMA, OES, the Corps of Engineers, or others describing the direct health and safety impact on residents resulting from the project's flood damage.

For the documentation chart, please indicate in the column marked "Documentation," the type of documentation used--e.g., a letter, resolution, newspaper clipping, report, etc..., and attach a copy of the documentation. In the next two columns, enter the name and phone number of a contact person for each source used. Documentation from an **outside agency** stating that the problem the project is addressing is severe and health threatening will strengthen an application.

3. Provide a brief description of how the proposed activity will address the documented need.
4. Document NEPA Compliance. Provide narrative of what level of NEPA review will be triggered by the proposed activity. Attach any NEPA environmental clearance documents required.

C. NATIONAL OBJECTIVE DOCUMENTATION

In the space provided, describe briefly how the applicant will comply with the requirement that at least 50 percent of the ***DRI CDBG dollars*** will principally benefit TIG households and persons. See instructions on application forms for more detail.

1. Target Income Group (TIG) benefit documentation must be provided. Briefly describe how the TIG benefit for the proposed activity is established. Direct benefit activities such as housing rehab are income restricted to TIG households only. When addressing a neighborhood or community-wide public works problem, benefit is generally provided to all the occupants of a geographic area or all users of the facility/service. For these “area benefit” projects, income surveys may be used or census block group low moderate income data from HUD may be consulted. See web site www.hcd.ca.gov/ca/cdbg/funds for a list of jurisdictions and census tracts and block groups with TIG data. Lastly, for activities which benefit a specific group of persons (farm workers, homeless, battered spouses) they are assumed to be low income under limited clientele definition.
2. Slums and Blight benefit documentation must be provided if the proposed activity is conducted under this national objective. Slums and Blight can be documented via area benefit or project specific benefit. The State assumes that redevelopment areas are automatically blighted so a map of a redevelopment area is all that is needed. The State will also accept surveys which document blighted conditions in an area. Lastly, if the project specific site is blighted, then documentation of the site blight must be provided.
3. Urgent need documentation must be provided if the proposed activity is being conducted under this national objective. In order to meet the urgent need national objective an activity must address a problem which meets the following four criteria: 1) poses a serious and immediate threat to the health or welfare of the community; 2) are of a recent origin or recently became urgent (18 months); 3) the applicant has no local funds to pay for the activity; 4) no other outside financing is available to fund the activity.

D. COMMITMENT OF OTHER FUNDING

1. Complete table showing commitment of local funding. Identify local sources of funds and give the dollar amount as shown in the local Resolution. Write in the number of the Resolution and attach an adopted, signed, and dated copy.
2. Commitment of Private Leverage. Clearly identify each private source of leverage, if

any. Enter the dollar amounts being contributed by each source.

3. Sources and Uses Chart. **Only complete for projects NOT programs.**

Sources. Fill in the major funding sources. The amounts and sources for local and private contributions should match the information provided on leverage tables. In addition, make entries here for any State, Federal, or other sources not shown on the leverage tables that you will be using to finance the entire project. For "State" funds, if any are from another HCD program, please identify that program on this chart.

Uses. Identify the cost categories applicable to your proposed project and enter the amounts you plan to use. Allocate the amounts across the table to the funds you expect to receive from all the sources listed. This chart should include costs for the entire project (not just the CDBG portion). Your cost estimates can assist you in calculating these entries.

For the Construction line, include a factor for Davis-Bacon wages. General administration costs should include staff time for clearing the grant agreement special conditions and grant reporting.

E. DUPLICATION OF BENEFITS

Pursuant to the appropriations act and the Robert T. Stafford Disaster Assistance and Emergency Relief Act (42 U.S.C. 5155), no entity may receive disaster recovery grant assistance for activities reimbursable or for which funds are **made available** by the Federal Emergency Management Agency (FEMA), the Small Business Administration (SBA) or the U.S. Army Corps of Engineers (USACE). DRI funds can be used to supplement, **but not replace**, these federal disaster assistance sources.

1. For Projects, complete the chart and submit documentation that assistance was requested from and/or received from the appropriate public agency. If applicable, submit documentation that additional funds are needed for the project above funding provided by FEMA, or SBA, or USDA or USACE.
2. For programs with Individual Direct Assistance Activities, provide a "Duplication of Benefits Plan" with the program guidelines included the application. This plan should detail how the applicant plans to avoid duplicating DRI dollars with other available federal dollars. Contact your CDBG Representative for assistance with the language needed for this plan.

A. IDENTIFICATION OF ACTIVITY

1. What activity will the DRI dollars fund? (Refer to the Appendix A of the NOFA for a description of eligible and ineligible activities.)

a. **Replace ONE box with an X.**

- ☐ Economic Development Assistance Program
- ☐ Housing Rehabilitation Program
- ☐ Housing Acquisition Program
- ☐ Sewer Collection and/or Treatment System Improvement Project
- ☐ Water Treatment and/or Distribution System Improvement Project
- ☐ Community Facility Project
- ☐ Public Service Program
- ☐ Real Property Acquisition Project
- ☐ Relocation Assistance Services
- ☐ Code Enforcement Program
- ☐ Other _____

b. Provide a brief description of the activity checked above.

2. **If no planning activities are proposed then SKIP to B.** If a planning activity is proposed then provide a description below of: 1) what the scope of the planning study will be; 2) the steps in completing the study; 3) how the planning activity is directly related to the disaster being applied under and how it will help mitigate damages from the disaster; and 4) describe the final report which will be developed from the planning activity. If more than one study is proposed then each study must have a narrative addressing the four topics described above.

☐ Planning Activity # 1: _____

☐ Planning Activity # 2: _____

For planning activities, the State will with hold ten percent (10%) of the funds budgeted for the each activity until the final report is submitted and approved.

B. DOCUMENTATION OF NEED FOR ACTIVITY

1. Description of damage and need for activity. Briefly describe below the damage sustained county- or city-wide or in the proposed target area from the disaster. If third party documentation is not available, submit local descriptions of the damage sustained and continuing need for assistance. The strongest applications will contain third party confirmation.

2. In the documentation chart below, complete column marked "Documentation," indicate the type of documentation (e.g., letter, resolution, newspaper clipping, report, etc.) and attach a copy of the documentation. Enter the name and telephone number of a contact person for each source used.

SOURCE	DOCUMENTATION	CONTACT	PHONE
Office of Emergency Services			
Corps of Engineers			
Federal Emergency Management Agency			
Other			

3. Briefly describe below how the proposed activity will mitigate the damage listed above. That is, describe and document the disaster's damage above, and state what the consequences would be if not corrected. Briefly describe what severe health and safety needs this activity addresses. Briefly describe the likelihood that the requested funds would substantially reduce or eliminate the damage?
4. Environmental clearance for the proposed activity. Briefly describe the anticipated level of environmental clearance for the proposed activity. Construction projects typically require a high level of environmental clearance (90 days to complete).

NOTE: If environmental review documents already exist for the proposed project, these documents may or may not satisfy environmental review requirements for HUD purposes. Call CDBG representative for guidance.

C. DOCUMENTATION OF MEETING A NATIONAL OBJECTIVE

1. Low Income or Targeted Income Group (TIG) benefit

Briefly describe how at least 50 percent of the DRI dollars will principally benefit TIG households and persons. For example, proposed activity will be direct benefit (housing rehabilitation or business assistance loans) where each assisted recipient will be income qualified prior to receiving assistance (include a set of guidelines). For area benefit activities, determine minimum 51% TIG benefit using HUD low moderate chart or recent income survey. Lastly, state that activity will only assist limited clientele. **Attach appropriate documentation based on activity (direct benefit program or area benefit or limited clientele).**

2. Elimination of Slums and Blight

Briefly describe how the proposed activity will meet the elimination of slums and blight in the community. Also describe how the project or area of benefit was identified and documented as being blighted. For example, proposed activity will be code enforcement program which is targeted to a local redevelopment area which has a large number of building that suffered structural damage in the earthquake. **Attach appropriate documentation of blighted conditions (map of redevelopment area, survey of structures in the area, inspection report and photos of proposed project).**

3. Urgent Need

Describe how the proposed activity will meet an urgent need created from the disaster which still exists today. **Attach appropriate documentation of activity's urgent need making sure to cover the four items listed in the directions.**

D. COMMITMENT OF OTHER FUNDING

This section of the application has three parts. The first two charts request information about other funding commitments for the proposed activities (local and private funding sources). The third chart is for project activities only, and requests detailed information about all the sources of funds and their uses on the proposed project (sources and uses).

1. Chart with commitments of local funding. List all local contributions as shown in the approved application resolution. If funds are committed from a Redevelopment Agency, then a separate Resolution must be also be included. If the sources and amounts are not in an approved resolution then funds will not be counted. Identify the original source of the local funds (i.e., some local funds may have originated as Federal or State funding passed on to the locality).

Local Funding Sources	Amount in Dollars in Resolution	Resolution Number (attach a copy of the Resolution)
1.		
2.		
3.		
4.		

2. Chart with commitments of private funds. List other necessary funding sources and attach letters of commitment.

Private Funding Sources	Amount in Dollars in Letter from Source	Date of Commitment Letter (attach a copy of the letters)
1.		
2.		
3.		
4.		

3. Sources and Uses Chart for Projects **ONLY**. List other necessary funding sources and the use of those funds for completion of the proposed project. Total funds shown in the

lower right corner of the chart should be the total cost of the project.

3. Sources and Uses Form. **For projects only,** show all funds you plan to use: the DRI funds applied for, the non-DRI funds from leverage charts, and all other funding sources that will be used on the entire project.

SOURCES

USES	State CDBG	Local Financial	Private Financial	Program Income	Federal	Other State	Other Sources	Total
Land Acquisition								
Building Acquisition								
Repair Construction Costs								
Equipment								
Final Plans & Specs								
Contingency								
General Administration								
Activity Delivery								
Relocation								
Other								
Total								

E. DUPLICATION OF BENEFITS

DRI applications must provide documentation of the request for assistance to the appropriate federal agency, along with the response from the agency. In some instances, DRI funds may not be used in those circumstances where the jurisdiction could have applied for other federal assistance.

1. **For Project Activity.** Complete the following table:

Federal Agency	Benefit Information	
	<i>Applied for Assistance?</i>	<i>Amount of Assistance Received</i>
Federal Emergency Management Agency	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable, Explain:	\$_____
U.S. Army Corps of Engineers	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable, Explain:	\$_____
U.S. Small Business Administration	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable, Explain:	\$_____

Note: Include documentation of the federal agency award letter, or a copy of the declination letter.

If requesting DRI funds to supplement other federal disaster assistance funds, provide

documentation that additional funds are needed to complete the project. Examples of acceptable documentation can be a letter from the USACE indicating its funding was limited by a cost/benefit ratio and did not cover all eligible disaster-related costs, or a letter from FEMA denying an augmentation to its existing grant.

2. For individual direct assistance activities, a written plan (“Duplication of Benefits Plan”) detailing how the applicant will obtain information regarding an individual’s application to the appropriate federal agencies, and the federal agencies response of award or denial. The plan should also state that the jurisdiction will review the benefits received *or offered* to each individual requesting DRI assistance, and will only award DRI funds when it can be determined there is no duplication of benefits. **Include a copy of the program guidelines and attach them to this activity description form.** Most programs will address this issue in their program guidelines. By including the proper language in the program guidelines, an applicant can meet this requirement.

Application Page number of program guidelines _____.

F. CAPACITY AND READINESS TO PROCEED

DRI applicants will be given points based on local capacity and readiness of the proposed activity to proceed. The highest scoring applicants will have CDBG experienced staff and or consultants available to move forward with implementation of the DRI activities as soon as possible. Scores for this criterion will also be based on the timeframe for activity implementation. The sooner the applicant can disburse the funds the more competitive they will be. In some cases the applicant may simply be requesting funds for reimbursement of expense on an eligible DRI activity which was already disbursed.

1. Briefly describe the capacity of applicant to implement proposed DRI program. As back up documentation, attach resumes of the staff who will be working on the DRI activity which clearly show experience in implementation of DRI programs and/or knowledge of CDBG and the federal and state requirements to be followed as part of administering a CDBG funded activity. If the jurisdiction is hiring a consultant to administer the grant and implement the activity, then in addition to staff resumes, a copy of the contract for services should be included in order to document readiness to proceed.

2. Documentation of readiness to proceed with DRI activity. Briefly describe the current status of the activity. Address the major federal overlays which need to be addressed as part of activity implementation. First address the status of the NEPA review and give the date when the review will be completed. Second, state if site control is required and if so what the current status of the site control is (option to purchase, easements needed, etc.). Third, give a description of the financial status of the activity and list any additional funding sources which will be required to begin the activity but which have not been secured.

Lastly, describe the timeline for activity completion from release of DRI funds for the activity to the final expenditure of funds (DRI grant contracts will only be for 24 months and all proposed activities must be completed within the grant contract term).

3. The State must determination if DRI repayments (program income) will be counted as local CDBG program income or as DRI program income. In order to make this determination each applicant must answer the two questions below. **Place an X next to the correct response.**
- a. Will DRI funds be used for loans or investments which will be repaid? ___Yes ___No
- b. Are CDBG funds already being used for this same activity? ___Yes ___No

G. BONUS POINTS FOR PRIORITY ACTIVITIES

In order to receive bonus points, the applicant must propose an activity which was not originally allowed under the FEMA disaster declaration. For example, in some instances, the declaration did not allow for FEMA funds to be used on residential or business assistance. By proposing activities not allowed under FEMA declaration, then the applicant will be eligible for bonus points. The State will determine these points based on the disaster being applied for and the proposed activity. No narrative or back up documentation is required.

DOCUMENTATION AND CERTIFICATION FORMS

Applicants must complete and include with the application a series of documentation forms and authorizing documents for the items described below. Complete the relevant forms and place them into this section of the application.

1. Resolution of the Governing Body: **required**, see sample in **Appendix A**.

The Resolution submitted with this application must be a certified copy of the Resolution. It must authorize submission of the application, approve the application's contents, and authorize its execution (and any amendments thereto). Applicants should use the suggested language in the sample form.

2. Statement of Assurances: **required**, see **Appendix B**. All applicants must use the form provided by the State.
3. Housing Element Status, contact HPD representative with any questions.
4. Compliance with OMB Circular A-133, **required**, see instructions on form in **Appendix C**.
5. Relocation Compliance Certification, **required**, form is in this section.
6. Growth Control Prohibition, contact HPD representative with any questions.
7. Citizen Participation prior to application: **required**; form is in this section.
8. Joint Powers Agreement: optional as needed, see below:

An Agreement is required by the CDBG Regulations, Section 7070(c)(4) as part of an application on behalf of another jurisdiction or for joint applications. Applicants must prepare an Agreement if the following conditions exist:

- a. if one application is submitted by two or more jurisdictions,
- b. if a county is applying on behalf of a city in the same county, or
- c. if a county applicant is applying on behalf of itself and a city in the same county.

Section 7060(d) provides that such agreements must be on forms provided by the Department. See Appendix C for a sample form.

Additional provisions may be added by applicants either by attachments to the agreement or by typing additional provisions or exceptions into the spaces provided on the form. Space has been left between each paragraph for applicants to modify any provisions to fit the applicant's particular situation. The applicant should enter "not applicable" if a provision clearly has no meaning in light of the activities proposed. Do not leave any lines blank.

If the applicant proposes to create a separate Joint Powers agency, the Department must be consulted regarding the inclusion of legal requirements.

9. Location and Site Maps: required; instructions are in this section.

10. NEPA Forms for Exempt Activities; instructions on the forms in this section.

A. Resolution of the Governing Body This document is required. See sample in Appendix A.

The Resolution submitted with this application **must**:

- ☐ be an original or an original certified copy of the Resolution; and
- ☐ authorize submission of the application; and
- ☐ authorize its execution (and any amendments thereto); and
- ☐ designate a person (or position title) authorized to enter into an agreement, if funded.

Applicants should use the suggested language in the sample (Appendix A). Include the executed document in this section of the application.

B. Statement of Assurances. This document is required.

All applicants must use the form provided by the State (See Appendix B). Original signature is required. Blue ink is recommended. **Include the executed document in this section of the application.**

C. Housing Element Status. Procedural compliance is required.

Call the Paul McDougal of the Housing Policy Development Division at (916) 322-7995 for current status of the jurisdictions housing element. The Department will **NOT** award DRI funds to any applicant who is not in procedural compliance with their Housing Element. **No extensions will be given.**

D. Compliance with OMB Circular A-133. This document is required.

All applicants must use the form provided by the State (See Appendix C) in order to certify compliance with OMB Circular A-133. Original signature is required (Blue Ink Please). **Include the executed document in this section of the application.**

F. Relocation Compliance Certification

This document is required.

1. Does the proposed activity include acquisition of real property?
☐ NO. (If no, go to #3)

☐ YES. If yes, check the appropriate box below **and** answer questions 2, 3, and

☐ Site is under option to purchase.

☐ Site is identified but no negotiations have taken

☐ Home Buyer Assistance Program, no sites identified.
2. Will site acquisition require use of eminent domain?

☐ YES. ☐ NO.
3. Will the activity involve acquisition **OR** rehabilitation of currently occupied sites?

☐ YES. Provide documentation of relocation plan and notices for proposed project or program. Identified projects must give a general information notice to each occupant before application submittal. The relocation plan must address relocation services and benefits made available to persons affected by program or project activity.

☐ NO. Provide explanation of why no person will be displaced (i.e., property has no structures on it, or structures on the property have been vacant for over 120 days, or none per program guidelines)
4. Will this project cause the elimination of affordable housing units and trigger Section 104(d) replacement unit requirements (change in use, demolition, conversion of unit size)?

☐ YES. Successful applicants must provide a plan for replacing all affordable housing units eliminated as a special condition of the contract.

☐ NO.

F. Growth Control. *If you have a growth control ordinance, then this information is required.*

Has the applicant enacted limitations on residential construction, which limitations are not establishing agricultural preserves, not imposed by another agency, or not based on a health and safety need? Call Paul McDougal at (916)322-7995 if you want to confirm the status of growth control.

☐ YES. (If yes, see note below)

A copy is provided in this application on Page # ____.

☐ NO.

NOTE: If the applicant has a General Plan, ordinance, or other measure which directly limits by number either the building permits which may be issued for residential construction, or buildable lots which may be developed for residential purposes, and the measure does not meet any of the exceptions found in the Program Regulations, Section 7056 (b)(2)(B), check "Yes".

Attach a copy of the measure in this section of the application.

G. Citizen Participation. *Any written comments must be submitted.*

☐ Public Notice was properly published regarding proposed activities in DRI application.

Did the jurisdiction receive written comments during the public hearings process prior to submitting this application? **You DO need to include these documents in this application.**

☐ YES. See note below.

☐ NO

Documentation included in this application on Page # ____.

Note: If a jurisdiction received written comments as part of the public notice process prior to submitting the DRI application, a copy of the comments must be submitted with the application. In addition, the jurisdiction's response must also be included.

Include any letters in this section of the application.

H. Joint Powers Agreement. *This form may be required.*

An Agreement is required by the CDBG Regulations, Section 7060(c) as part of an application on behalf of another jurisdiction or for joint applications. Applicants must prepare an Agreement if the following conditions exist:

- if one application is submitted by two or more jurisdictions, or
- if a county is applying on behalf of a city in the same county, or
- if a county applicant is applying on behalf of itself and a city in the same county

Section 7060(c) provides that such agreements must be on forms provided by the Department. Contact your CDBG Representative to obtain a copy.

Additional provisions may be added by applicants either by attachments to the agreement or by typing additional provisions or exceptions into the spaces provided on the form. Space has been left between each paragraph for applicants to modify any provisions to fit the applicant's particular situation. The applicant should enter "not applicable" if a provision clearly has no meaning in light of the activities proposed. Do not leave any lines blank.

If the applicant proposes to create a separate Joint Powers agency, the Department must be consulted regarding the inclusion of legal requirements. **Include the executed document in this section of application.**

I. Required Maps

Please read the instructions below.

1. **Location map.** The location of each proposed activity within the designated disaster area. For programs, maps must show the boundaries of target areas (normally census tract(s)) where funds will be spent. For projects show location of site in jurisdiction. A location map for each separate proposed activity will be helpful.
2. **Project site map.** Show specific geographic information which reflects the size and scope of the project. For example, for a public works project involving installation of five blocks of 18" waterlines, show the five blocks and several surrounding blocks on each side.

Include proper maps in this section of the application.

J. Required NEPA Forms

A. Finding of Exemption

It is the finding of the City/County of _____ that the activities proposed in this application for State Community Development Block Grant funds are exempt from environmental review requirements under NEPA because they are defined as exempt activities in 24 CFR Part 58.34. The activity(s) judged exempt consist(s) of:

(Brief description of activities):		NEPA Citation
<u>General Administration Activities</u>		<u>58.34 (a) (3)</u>
1.	<u>Planning Activities</u>	<u>58.34 (a) (1)</u>
2.	<u>Public Services</u>	<u>58.34 (b)</u>
3.	<u></u>	<u></u>

Printed Name of Authorized Official

Signature

Title

Date

HUD FORM 58.6

PROJECT NAME / DESCRIPTION: General Administration, Planning, Public Services.

Level of Environmental Review Determination: 58.34 (a) (3), 58.34 (b)

(Exempt per 24 CFR 58.34, Categorically excluded not subject to statutes per § 58.35(b), Categorically excluded subject to statutes per § 58.35(a), Environmental Assessment per § 58.36, or EIS per 40 CFR 1500)

STATUTES and REGULATIONS listed at 24 CFR 58.6

FLOOD DISASTER PROTECTION ACT

1. Does the project involve acquisition, construction or rehabilitation of structures located in a FEMA-identified Special Flood Hazard?

(X) No; Cite Source Document: **Activities listed above will have no physical impact on local environment**

(This factor is completed).

() Yes; Source Document: _____ (Proceed).

2. Is the community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?

() Yes (Flood Insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project, in the amount of the total project cost. A copy of the flood insurance policy declaration must be kept on file).

() No (**Federal assistance may not be used in the Special Flood Hazards Area**).

COASTAL BARRIERS RESOURCES ACT

1. Is the project located in a coastal barrier resource area?

(X) No; Cite Source Documentation:

There are no coastal zone barrier resource areas in California

(This element is completed).

() Yes - Federal assistance may not be used in such an area.

AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES DISCLOSURES

1. Does the project involve the sale or acquisition of existing property within a Civil Airport's Runway Clear Zone or a Military Installation's Clear Zone?

(X) No; SD **Activity does not include sale or acquisition of real property so activity complies with 24 CFR 51.303(a)(3).**

() Yes; **Disclosure statement must be provided** to buyer and a copy of the signed disclosure must be maintained in this Environmental Review Record.

Preparer Signature / Name /Date

Responsible Entity Official Signature / Name / Date

NOTE: All the attachment list in this section must be part of the application. Not all items on the checklist below apply to all activities.

1. Enter jurisdiction name at top of each page.
2. Make a checkmark for each item on the list. Do not leave any item blank—check either "included" or "not applicable."
3. Enclose and mark each attachment or piece of supporting documentation.
4. Include a copy of this Checklist with the application, use as table of contents.

	<i>Check if</i>		<i>Page #</i>
	<i>Included</i>	<i>Not Applicable</i>	<i>Location in your Application</i>
TABLE OF CONTENTS TO APPLICATION	<input type="checkbox"/>		___
APPLICATION SUMMARY FORM	<input type="checkbox"/>		___
• Signature page is complete	<input type="checkbox"/>		___
ACTIVITY DESCRIPTION FORMS			
• Identification of Activity	<input type="checkbox"/>		___
• Planning Activity	<input type="checkbox"/>	<input type="checkbox"/>	___
• Documentation of Need	<input type="checkbox"/>		___
• National Objective Documentation	<input type="checkbox"/>		___
• Commitment for local and private leverage	<input type="checkbox"/>		___
• Project Sources and Uses Chart	<input type="checkbox"/>	<input type="checkbox"/>	___
• Duplication of Benefit Chart and Docs	<input type="checkbox"/>		___
• Capacity and Readiness	<input type="checkbox"/>		___
• Bonus Points for Priority Activities	<input type="checkbox"/>	<input type="checkbox"/>	___

	<i>Check if</i>	
	<i>Included</i>	<i>Not Applicable</i>
		<i>Page # in Application</i>

CERTIFICATION AND DOCUMENTATION FORMS

- | | | | | |
|-----|-----------------------------------------|--------------------------|--------------------------|-------|
| 1. | Resolution of the Governing Body | <input type="checkbox"/> | | _____ |
| 2. | Statement of Assurances | <input type="checkbox"/> | | _____ |
| 3. | Housing Element Status | <input type="checkbox"/> | | _____ |
| 4. | Compliance with OMB Circular A-133 | <input type="checkbox"/> | | _____ |
| 5. | Relocation Compliance Certification | <input type="checkbox"/> | | _____ |
| 6. | Growth Control Limitation | <input type="checkbox"/> | | _____ |
| 7. | Citizen Participation Compliance | <input type="checkbox"/> | | _____ |
| 8. | Joint Power Agreement (If applicable) | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 9. | Required Maps | | | |
| | • Location of Activity in Disaster Area | <input type="checkbox"/> | | _____ |
| | • Project/Program site map | <input type="checkbox"/> | | _____ |
| 10. | NEPA Forms for Exempt Activities | <input type="checkbox"/> | | _____ |

APPENDICES

- A Sample Resolution of the Governing Body
- B Statement of Assurances
- C OMB Circular A-133
- D Sample Joint Powers Agreement
- E Cost categories for General Administration, Activity Delivery, and Program Loan/Activity
- F Web Links to Low /Moderate Income (TIG) Data for Communities and Census Tracts/Block Groups and HUD's Currently Published Income Limits Based on Family Size.

NOTE: An application for the State DRI Program is to include, at a minimum, the following information in a resolution. Applicants have the option of including any additional pertinent information.

RESOLUTION NO. _____

A RESOLUTION APPROVING AN APPLICATION AND CONTRACT EXECUTION FOR FUNDING FROM THE DISASTER RECOVERY INITIATIVE PROGRAM OF THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT.

BE IT RESOLVED by the City Council of the City of _____ as follows:

SECTION 1.

The City Council has reviewed and hereby approves an application for up to **\$500,000**:
(list activities and dollar amounts)

Main Street Water Line: \$200,000

Southgate Neighborhood Housing Rehabilitation: \$262,500

General Administration: \$37,500

SECTION 2.

If the grant application is approved, the City will provide local leverage for the water line/rehabilitation program as follows:

Staff time: \$5,000

Permit fee waivers: \$3,500

Redevelopment Agency funds: \$100,000

Public Works improvements in the rehabilitation area: \$50,000

SECTION 3.

The City Manager is hereby authorized and directed to act on the City's behalf in all matters pertaining to this application.

SECTION 4.

If the application is approved, the City Manager is authorized to enter into and sign the grant agreement and any amendments thereto with the State of California for the purposes of this grant.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of _____ held on _____ by the following vote:

AYES:

NOES:

ABSENT:

Signature

Mayor of the City of _____

ATTEST:

Signature

City Clerk of the City of _____

- Appendix B -

Statement of Assurances - (Revised January 15, 2004)

The City/County of _____ hereby assures and certifies that:

1. It possesses legal authority to apply for the grant and to execute the proposed program.
2. Its governing body has duly adopted or passed as an official act or resolution, motion, or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the applicant's chief executive officer or other designee to act in connection with the application and to provide such additional information as may be required.
3. It has or will comply with all citizen participation requirements, which include, at a minimum, the following components:
 - a. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which CDBG funds are proposed to be used, and provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;
 - b. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed use of funds, as required by CDBG regulations, and relating to the actual use of funds under this title;
 - c. Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
 - d. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program. These include at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries and with accommodation for the handicapped. This shall include one public meeting during the program design, annual performance report preparation, and formal amendments. A public hearing shall be conducted prior to application submittal;
 - e. Solicits and provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and
 - f. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can reasonably be expected to participate.
4. Its CDBG Program has been developed so as to primarily benefit targeted income persons and households, and each activity in the program meets one of the three national objectives: benefit to low and moderate income persons, elimination of slums and blight, or meets an urgent community need certified by the grantee as such.

5. It consents to assume the responsibilities for environmental review and decision-making in order to ensure compliance with NEPA by following the procedures for "recipients" of block grant funds as set forth in 24 CFR, Part 58, entitled "Environmental Review Procedures for Title I Community Development Block Grant Programs." Also included in this requirement is compliance with Executive Order 11988 relating to the evaluation of flood hazards, and Section 102(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) regarding purchase of flood insurance, and the National Historic Preservation Act of 1966 (16 USC 470) and implementing regulations (36 CFR 800.8).
6. It consents to assume the role of either "Lead Agency" as defined by Section 21067 of the California Public Resources Code, or if another agency is or will be designated "Lead Agency," it consents to assume the role of "Responsible Agency" as defined by Section 21069 of the California Public Resources Code, in order to ensure compliance with CEQA.
7. It has resolved any audit findings or performance problems for prior CDBG grants awarded by the State.
8. It certifies that there is no plan, ordinance, or other measure in effect which directly limits, by number, the building permits that may be issued for residential construction or the buildable lots which may be developed for residential purposes; or if such a plan, ordinance, or measure is in effect, it will either be rescinded before receiving funds, or it need not be rescinded because:
 - a. It imposes a moratorium on residential construction, to protect the health and safety, for a specified period of time which will end when the public health and safety is no longer jeopardized; or
 - b. It creates agricultural preserves under Chapter 7 (commencing with Section 51200) of Part 2 of Division 1 of Title 5 of the Government Code; or
 - c. It was adopted pursuant to a specific requirement of a State or multi-State board, agency, department, or commission; or
 - d. The applicant has a housing element which the Department of Housing and Community Development has found to be adequate, unless a final order has been issued by a court in which the court determined that it is not in compliance with Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code; or
 - e. The use of the funds applied for in this application is restricted for housing for the targeted income group.
9. It will comply with the regulations, policies, guidelines, and requirements of OMB Circular Numbers A-87, A-133, A-122, 24 CFR Part 85 where appropriate, and the State CDBG regulations.

10. It shall comply with the following regarding nondiscrimination:
 - a. Title VI of the Civil Rights Act of 1964 (Public Law 88-352).
 - b. Title VIII of the Civil Rights Act of 1968 (Public Law 90-284) as amended; and will administer all programs and activities related to housing and community development in a manner affirmatively furthering fair housing.
 - c. Section 109 of the Housing and Community Development Act of 1974, as amended.
 - d. Section 3 of the Housing and Urban Development Act of 1968, as amended.
 - e. Executive Order 11246, as amended by Executive Orders 11375 and 12086.
 - f. Executive Order 11063, as amended by Executive Order 12259.
 - g. Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112), as amended, and implementing regulations.
 - h. The Age Discrimination Act of 1975 (Public Law 94-135).
 - i. The prospective contractor's signature affixed hereon and dated shall constitute a certification under the penalty of perjury under the laws of the State of California that the bidder has, unless exempted, complied with the nondiscrimination program requirements of Government Code Section 12990 and Title 2, California Code of Regulations, Section 8103.
11. It will comply with the Federal Relocation Act (42 U.S.C. 4601 et seq.) and will certify that it is following the State's residential anti-displacement and relocation plan or will provide a locally adopted residential anti-displacement and relocation plan.
12. It will comply with the following regarding labor standards:
 - a. Section 110 of the Housing and Community Development Act of 1974, as amended.
 - b. Section 1720 et seq. of the California Labor Code regarding public works labor standards.
 - c. Davis-Bacon Act as amended (46 U.S.C. 276a) regarding prevailing wage rates.
 - d. Contract Work Hours and Safety Standards Act (40 USC 327-333) regarding overtime compensation.
 - e. Anti-Kickback Act of 1934 (18 USC 874) prohibiting "kickbacks" of wages in federally assisted construction activities.
13. It will comply with the Architectural Barriers Act of 1968 (42 USC 4151) and implementing regulations (24 CFR Part 40-41).
14. It will enforce standards of conduct which govern the performance of its officers, employees, and agents engaged in the administration of contracts funded in whole or in part by the CDBG Program (Section 7120(d) of the State regulations).

Statement of Assurances
Appendix B

15. It will comply with the Hatch Act (5 USC 1501 et seq.) regarding political activity of employees.
16. It will comply with the Lead-Based Paint Regulations (24 CFR Part 35) which prohibits the use of lead-based paint on projects funded by the program.
17. It is not, nor will it employ, award contracts to, or otherwise engage the services of any contractor while that contractor (or its principals) is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation from the covered transaction, in any proposal submitted in connection with the CDBG program under the provisions of 24 CFR Part 24.
18. It will give HUD, the Comptroller General, the State Department of Housing and Community Development, or any of their authorized representatives access to and the right to examine all records, books, papers, or documents related to the grant.
19. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing properties owned and occupied by targeted income persons unless:
 - a. CDBG funds are used to pay the proportion of such assessment that relates to non-CDBG funding or
 - b. for the purposes of assessing properties owned and occupied by targeted income persons who are not of the lowest targeted income group, it does not have sufficient CDBG funds to comply with the provisions of a. above.
20. It will adopt and enforce policies
 - a. prohibiting the use of excessive force by its law enforcement agencies against individuals engaged in non-violent civil rights demonstrations and
 - b. enforcing applicable State and local law against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction.

The certification is made under penalty of perjury under the laws of the State of California.

CERTIFYING OFFICIAL: _____
(Chief Administrative Executive)

Signature

Date

Note: This certification **must** be signed by the jurisdiction's Chief Executive Officer, regardless of any signatory designation in the governing body's resolution authorizing submission of the application.

COMPLIANCE WITH OMB CIRCULAR A-133

Office of Management and Budget (OMB) Circular A-133 is issued pursuant to the Single Audit Act of 1984, P.L. 98-502, and the Single Audit Act Amendments of 1996, P.L. 104-156. It sets forth the standards for obtaining consistency and uniformity among Federal agencies for the audit of states, local governments, and non-profit organizations expending Federal awards. Cities and counties not exempted from the requirements of OMB Circular A-133 must submit their audits to the State Controller. Non-profit organizations not exempted must submit their audits to the California Department of Housing and Community Development.

Pursuant to the requirements of OMB Circular A-133, please check the appropriate box(s) and certify at the bottom of the page:

☐ The _____ (name of entity) has expended more than \$300,000 in Federal funds in fiscal year 2004/2005 and is required to conduct a single audit or program specific audit for this year in accordance with the provisions of OMB Circular A-133.

☐ The audit has been completed and has been submitted to the appropriate control agency.

☐ The audit has not been completed. It is anticipated that the audit will be completed and submitted to the appropriate control agency by: _____ (date).

☐ The _____ (name of entity) has expended less than \$300,000 in federal funds in fiscal year 2004/2005 and is exempt from the requirements of OMB Circular A-133. Non-Federal entities that expend less than \$300,000 a year in Federal awards are exempt from Federal audit requirements for that year, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and the General Accounting Office.

I certify on behalf of _____, (name of entity) that the above is a true and accurate statement.

(Printed name and title)

(Signature)

(Date signed)

**Sample Joint Powers Agreement
Appendix D**

This agreement, dated for convenience _____, 200__ is made by and between the City/County of _____, a political subdivision of the State of California, and the City/County of _____, a political subdivision of the State of California.

Whereas: The community development activities applied for in the State's Community Development Block Grant Program consist of:

and;

Whereas: These community development objectives may be best achieved and most cost-effectively administered through the cooperative efforts of the City/County of _____ and the City/County of _____

and:

Whereas: Section 7060(d) of Title 25 of the California Code of Regulations requires a Joint Powers Agreement which meets the requirements of Article I, Chapter 5 of Title 1 (commencing with Section 6500) of the Government Code in order to submit a joint application for the State Community Development Block Grant Program;

Now therefore; the parties hereto agree to the following:

I. General

This agreement is subject to the terms and requirements of Article I, Chapter 5 of Title 1 (commencing with Section 6500) of the Government Code and Subchapter 2 of Chapter 7 of Title 25 of the California Code of Regulations.

II. Purpose

This agreement sets forth the relationships and responsibilities of the parties hereto for the purpose of applying for and, if successful, the administration and implementation of the State Community Development Block Grant Program. If funded, the parties shall be responsible for the areas designated below.

III. Block Grant Contract Management

- a. The City/County of _____ shall be responsible for the management of the State Community Development Block Grant Program Grant Agreement executed with the State of California for the purpose of receiving these funds. These responsibilities, except as noted below in subparagraph IIIb, include but are not limited to:
1. Setting up of any cash depositories as required by 25 Code of Regulations 7098.
 2. Any bonding and insurance as required by 25 Code of Regulations 7100, and Section 6505.1 of the Government Code.
 3. Recordkeeping as required by 25 Code of Regulations 7102.
 4. Program income requirements of 25 Code of Regulations 7104.
 5. Financial management in conformance with the requirements of 25 Code of Regulations 7106.
 6. Financial reporting as required by 25 Code of Regulations 7108.
 7. Performance reports as required by 25 Code of Regulations 7110.
 8. Any revisions pursuant to 25 Code of Regulations 7114.
 9. The grant closeout procedures of 25 Code of Regulations 7116.
 10. Property management and procurement in conformance with 25 Code of Regulations Sections 7118 and 7120.
 11. Audit requirements of 25 Code of Regulations 7122.
- b. The City/County of _____ shall be responsible for the following exceptions to the contract management requirements:

IV. Grant Implementation

- a. The City/County of _____ shall be responsible for the implementation of the program contained in the grant application for the State Community Development Block Grant funds. These responsibilities, except as noted below in subparagraph IV.b., include but are not limited to:
1. Citizen participation as required by 25 Code of Regulations 7080 and the Housing and Community Development Act of 1974, including amendments.
 2. Environmental reviews as required by 25 Code of Regulations 7082.
 3. Labor standards as required by 25 Code of Regulations 7088 and 7096.
 4. Program design, work write-ups, bid processes, change orders, inspections, construction management and other related program implementation steps required for the successful completion of the program.
 5. All other program requirements as set forth in Subchapter 2 of Chapter 7 of Title 25 of the Code of Regulations (the State Community Development Block Grant Program regulations).
- b. The City/County of _____ shall be responsible for the following exceptions to the contract management requirements:

-

V. Additional Responsibilities

In addition to the aforesaid delegations of responsibilities, the parties hereto, pursuant to Section 6504 of the Government Code, also agree as follows:

VI. Personnel

Personnel used in the implementation of the program shall be employees of _____ and under the supervision of _____ for the sole purpose of accomplishing the tasks set forth in the application for the State Community Development Block Grant funds.

VII. Use of Property, Equipment, and Utilities

- a. The City/County of _____ shall provide the following property, equipment and utilities for use by the City/County of _____ for the purpose of implementing the State Community Development Block Grant Program:

- b. Pursuant to Government Code Section 6505.1, the following shall have charge of, handle, or access to the property or equipment set forth above (name persons if so desired):

VIII. Duration of this Agreement

This agreement shall be effective upon the date the applicant receives notice from the State that the application has been funded. The City/County of _____ shall be responsible for the execution of all grant documents necessary for the administration of the program. This agreement shall remain in affect until such time as the grant agreement has been successfully closed out by the State.

In the event the joint Block Grant Application is not funded, this agreement shall be null and void and have no legal affect.

IX. Disposition of Acquired Property or Assets

All property, real or personal, acquired during the administration of this program shall be disposed of in accordance with the provisions of Title 25 of the Code of Regulations, Sections 7116 and 7118. Any surplus funds contributed to the program by the parties to this agreement and remaining on hand after the completion of the program shall be returned in proportion to the contributions made.

X. Amendments

Any amendments or modifications to this agreement must have the prior approval of the State and may not materially affect the State's responsibilities for administering this program.

XI. Assurances

Both parties to this agreement agree to be bound by any and all assurances required pursuant to 25 Code of Regulations, Section 7070(c)(3).

XII. This agreement shall be accompanied by certified resolutions from each party authorizing its execution.

XIII. Additional Provisions

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed and attested by their proper officer hereunder, duly authorized, and their official seals to be hereto affixed, as of the day and year first above written.

Name

Name

Title

Title

Date

Date

City/County of _____

City/County of _____

APPROVED

Name

State Department of Housing and Community Development

Date

Eligible Grant Cost Categories
Appendix E

Costs	General Administration	Activity Delivery	Program Loan/Activity
Advertisements	X	X	
Appropriate Fees		X	X
Attend Workshops (HCD)	X		
Bidders Conferences		X	X
Construction			X
Engineering Draw/Design		X	
Environmental Studies	X		
Fiscal Reporting	X		
General Coordination	X		
Indirect Costs	X	X	
Insurance Premiums		X	
Loan Processing*		X	
Meetings with Banks		X	
Meetings with Homeowners		X	
Personnel	X		
Procurement	X		
Program Reporting		X	
Project Inspections		X	
Relocation Costs	X	X	X
Work Write-ups		X	

* Costs of processing loans funded by another source may be charged to the CDBG-funded program if the other loan program is to be part of the jurisdiction's CDBG activity and is identified in Section D., Leverage, of the Activity Description form.

Applicant's Current Income Limits

Go to www.hcd.ca.gov/ca/cdbg/funds. Once you get to the CDBG page with funding information then click on Income limits. The current HUD published limits for each county in the state is listed. The file is in Adobe format. These current limits will be used with conducting direct benefit programs which income screen beneficiaries prior to assistance.

Low Moderate (TIG) Data

For projects or public service activities which serve the full jurisdiction or a target area, applicants may consult with the HUD chart for low and moderate income. HUD develops this chart using census data and it is not updated annually.

To view and print out the chart, go to www.hcd.ca.gov/ca/cdbg/funds, and click on HUD Low Mod Data under the DRI NOFA & Application. This file is in Excel format. Percentages for census tracts and or block groups are located at the far right side of the chart. If you are doing a number of different census tracts or block groups, then you must add up all the persons in the block groups or tracts in your target area and divide it into the number of low income persons in the identified area.